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CLEARINGHOUSE RULE 97-044

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]

1. Statutory Authority

The amendment to s. Tax 12.065 (2) (c) appears to create a conflict with s. 73.09 (4) (c), Stats. The statutory language requires assessors to apply for recertification at least 60 days before their certification expires. The application must attest to the completion of continuing education requirements. Current s. Tax 12.065 (2) (c) requires continuing education programs to be attended and completed not later than two months prior to the expiration of the applicant's current certification period. SECTION 1 of Clearinghouse Rule 97-044 would require only that the program be attended and completed prior to the expiration of the applicant's current certification period. The department should explain how SECTION 1 of Clearinghouse Rule 97-044 is consistent with s. 73.09 (4) (c), Stats.

2. Form, Style and Placement in Administrative Code

The material following the stricken-through material in s. Tax 12.065 (5) (a) 2. should be underscored. Also, “department” should replace “Department.” [See s. 1.01 (4) (a), Manual, and current s. Tax 12.065 (5) (a) 2.]